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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/575,437	04/11/2006	Dirk Burdinski	GB03 0186 US1	1847
24738	7590	10/17/2011		
PHILIPS INTELLECTUAL PROPERTY & STANDARDS				
PO BOX 3001				
BRIARCLIFF MANOR, NY 10510-8001				
EXAMINER				
BANH, DAVID H				
ART UNIT		PAPER NUMBER		
2854				
NOTIFICATION DATE		DELIVERY MODE		
10/17/2011		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary**Application No.**

10/575,437

Applicant(s)

BURDINSKI ET AL.

Examiner

DAVID BANH

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 1-6 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 1-6 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed on July 14, 2011 have been fully considered but they are not persuasive. Applicant has argued in page 6 of the Remarks that "For a claim to be patentable, i.e. not anticipated or made obvious, it needs to include fewer elements not fewer inks." Applicant's argument appears inconsistent with the case law applicable to 35 U.S.C. 102 and 35 U.S.C. 103. If a claim comprises fewer elements than an obvious combination of the prior art of record, then it follows that each of the limitations of the claim is taught by the combination and a rejection under 35 U.S.C. 103 is appropriate. Therefore, only a claim which comprises more elements than any obvious combination of the prior art of record may be considered patentable.

The claims of the present invention are recited using the open ended transitional phrase "comprising", therefore, the claim is not limited against method claims comprising all of the steps recited therein with additional steps. Therefore, applicant's arguments that there is neither a selection of a specific ink in the present claim nor a dewetting is moot. The claim language does not specifically preclude these additional method steps.

Applicant argues that Examiner has misconstrued and ignored the requirement of dewetting in Adams et al. It has already been argued that the overall requirement of dewetting does not distinguish the claims from the combination because the dewetting is not precluded by the claim even as it is not recited. Applicant has also pointed out that the dewetting in Adams et al. occurs on the surface of the stamp structure to

accumulate in the recesses. The dewetting from the surface of the stamp is not the critical portion of the method which enables operation of the stamp. In combination with the secondary references, the modification of the surface structure precludes dewetting from the surface of the stamp.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adams et al. (US PG Pub 2005/0120902) in view of Cherniavskaya et al. (Langmuir 2002, 18, 7029-7034, provided as NPL by Applicant) and Schueller et al. (US PG Pub 2003/0047535).

For claim 1: Adams et al. teaches a method for transferring an ink pattern **15** to the surface of a substrate **18** (see Fig. 1A and paragraph 25, the substrate is the silicon dioxide plate and the ink pattern is the set of dots seen in the final substrate element of Fig. 1A), the method comprising providing an elastomeric stamp **10** having a bulk surface **11** and at least one protruding feature **16** protruding from the bulk surface **11** (see Fig. 1A), the protruding feature **16** having a contact surface **14** and an edge **19** extending from the contact surface **14** extending from the bulk surface **11** (see Fig. 1A), supplying a solution of the ink and a solvent to the surface of the stamp (see Fig. 1A, and paragraph 8, "a solution of the molecular ink and a solvent is applied to the surface

of the stamp structure"), removing the ink (paragraph 8, blow drying) wherein the blow drying causes removal of the solvent and removes all of the ink from the surface of the stamp (see paragraph 8, the dewetting of the solvent into the recess and subsequent blow drying removes the solvent, while simultaneously removing the ink from the surface of the protruding features such that substantially no ink remains on the surface of the protruding features), providing a second substrate and contacting the surface of the protruding feature with the surface of the second substrate (page 1, paragraph 8) to transfer ink from the edge of the protruding features to the surface of the substrate (see Fig. 1A). The surface of the substrate must necessarily have a higher affinity to ink than the surface of the stamp for printing to take place.

Adams et al. does not explicitly teach the provision of a barrier layer covering the contact surface and the edge on the protruding feature and the bulk surface. However, Adams et al. does teach that the material of the stamp surface and the choice of solvent and molecular ink act in such a way as to prevent the majority of the solvent from entering the stamp and in this way functions similarly to a barrier layer (see paragraph 8, and paragraph 25, the preference to ethanol solvent with a PDMS stamp).

Cherniavskaya et al. teaches providing a barrier layer, being hydrophobic pads and particularly, a PDMS surface structure that is enhanced with optimized solution chemistry for being hydrophobic and further resisting swelling (see page 7033, the second full paragraph of the second column, enhanced hydrophobic surface structure would be a barrier layer, the barrier layer to be the entire surface of the stamp as swelling of the stamp is undesirable in Adams et al. and analogous Cherniavskaya et

al.) covering the contact surface. Since the edge is perpendicular to the contact surface, the barrier layer covering the contact surface can also be considered to cover the top of the edge, although it does not necessarily cover the face surface of the edge. By covering the contact surface, the protruding feature and the bulk surface are also covered. It would have been obvious to one of ordinary skill in the art at the time the invention was made to enhance the hydrophobic nature of the PDMS surface for the purpose of improving dewetting and preventing swelling of the PDMS stamp.

The barrier layer of Cherniavskaya et al. prevents molecules of the ink and solvent from penetrating the stamp.

The combination of Adams et al. and Cherniavskaya et al. does not teach the provision of a first substrate with a surface having higher affinity for the ink than the barrier, contacting the contact surface of the protruding feature with the first substrate, transferring all of the ink from the contact surface of the first substrate and removing the stamp from the surface of the first substrate such that none of the ink remains on the contact surface of the protruding feature of the stamp. However, Schueller et al. teaches in a micro-contacting printing of a stamp on a substrate that after ink has been applied to the surface of a stamp, the ink is dried by use of gas jets, in other words, blow drying, or instead, absorbent material may be pressed into contact with the stamp to dry it (paragraph 51). This drying by pressing to absorbent material would involve the steps of providing a first substrate having a higher affinity to ink than the barrier layer, contacting the contact surface of the protruding feature with the surface of the first substrate, transferring ink from the contact surface of the protruding feature to the

surface of the first substrate and removing the elastomeric stamp from the surface of the first substrate.

It would have been obvious to one of ordinary skill in the art at the time the invention to use an absorbent substrate to wipe the ink off of the surface of the protruding feature as an equivalent to drying the stamp with gas jets to remove all of the ink from the surface of the protruding feature for the purpose of producing a cleaner stamped image. The transfer of all of the ink from the contact surface of the protruding feature comes from the teaching in Adams et al. (paragraph 8), referenced earlier in the rejection to this claim.

For claim 2: The combination of Adams et al, Cherniavskaya et al. and Schueller et al. teaches the method of claim 1. Schueller et al. teaches further the act of removing a part of the surface of the second substrate (paragraph 59, post processing comprising etching), the part being defined by the ink pattern (paragraph 74, etching occurs in portions not protected by SAMs). It would have been obvious to one of ordinary skill in the art at the time the invention was made to subject the printed substrate to post processing involving etching to produce a finished circuit of the appropriate size and having imprinted features of an appropriate depth.

For claim 3: The combination of Adams et al., Cherniavskaya et al. and Schueller et al. teaches the method of claim 2 and Schueller et al. further teaches that the removing step comprises etching (paragraph 59).

For claim 4: The combination of Adams et al., Cherniavskaya et al. and Schueller et al. teaches the method of claim 1 and Adams et al. teaches that the act of

providing the surface of the second substrate is performed for a period of time to allow lateral movement over the surface of the second substrate of the ink transferred by the edge (see Fig. 1A of Adams, the ink is transferred from the stamp to the substrate, and has some lateral width on the substrate; since all of the ink is initially on the stamp, there is at least some lateral movement of this ink and since movement cannot occur instantaneously, there is some time frame connected with this movement).

For claim 5: The combination of Adams et al., Cherniavskaya et al. and Schueller et al. teaches the method of claim 1 and Adams et al. further teaches removing solvent from the contact surface (see paragraph 8, blow drying removes the solvent from the contact surface, which in combination also has the barrier layer).

For claim 6: The combination of Adams et al., Chernivaskaya et al., and Schueller et al. teaches all of the method of claim 1 wherein Adams et al. teaches that an increase in contact time between the contact surface of the protruding feature and the surface of the second substrate results in the transfer of an increasing fraction of the ink from the edges to the surface of the second substrate (see Adams et al., paragraph 36, contact time may affect line width which is directly related to amount of ink transferred).

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID BANH whose telephone number is (571)270-3851. The examiner can normally be reached on M-F 9:30AM - 8PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571)272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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DHB

/MATTHEW G MARINI/
Primary Examiner, Art Unit 2854